



Election / #7
J 3.28-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Peter BRAMS

Group Art Unit: 1642

Application Serial No. 09/805,217

Examiner: L. Helms

Filed: March 14, 2001

Title: *ANTIBODIES THAT BIND PHOSPHATIDYL SERINE AND A METHOD OF THEIR USE*

* * * * *

ELECTION REPLY

Hon. Commissioner of Patents
Washington, D.C. 20231

RECEIVED
MAR 27 2002
TECH CENTER 1600/2900

Sir:

In response to the ~~Office~~ Action [Restriction Requirement] mailed on February 21, 2002, Applicant elect with traverse, Group I Claims 1-8, and 27-28 directed to an anti-phosphatidyl serine monoclonal antibody, compositions and test kit as set forth in claims 1-8 and 27-28.

The Restriction Requirement is traversed respectfully in part. Particularly, it is requested, and in accordance with the rules, that the Examiner upon a determination that the subject antibodies are novel and non-obvious rejoin group I with at least one method of use. Upon a determination that the invention of Group I is patentable, Applicants request that Group II, directed to methods of treating neoplastic disorders should at least be rejoined with Group I, and examined on these merits.

Respectfully submitted,
PILLSBURY WINTHROP LLP

By: *Robin L. Teskin*
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Date: March 25, 2002
Attorney Reference: 037003-0279190
/af

Inventor(s): Peter BRAMS

Appl. No.: 09

805,217

Series Code ↑

Serial No. ↑

Filed: March 14, 2001

Hon. Commissioner of Patents
Washington, D.C. 20231

Group Art Unit 1642

Examiner: L. Helms

Atty. Dkt. P

0279190

2000-30-0155A

M#

Client Ref

Appl. Title: ANTIBODIES THAT BIND
PHOSPHATIDYL SERINE AND A
METHOD OF THEIR USE

Sir:

REPLY/AMENDMENT/LETTER

Date: March 25, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

MAR 27 2002

1. Small Entity claim

- A. ☒ NOT made
B. ☐ Withdrawn
C. ☐ made herewith
D. ☐ made previously

For B & C
See **Required**
Separate Paper
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/small Entity Fee	Additional Fee	Series Code
2. Total Effective Claims	**minus 0	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	***minus 0	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)	add		+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: March 23, 2002	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached (1 mo) \$110/\$55 = (2 mos) \$400/\$200 = (3 mos) \$920/\$460 = (Usable only for ≤ 2mo.OA --- 4 mos) \$1,440/\$720= (Usable only for 30 day/1mo.OA --- 5 mos) \$1,960/\$980=			+ \$		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0			
8. Extension Fee Attached		+ \$			
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		+ \$110/\$55	+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c), add		+ \$180	+ \$0		126
or if Rule 97(d) Request add		+ \$180			126
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$740/370	+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b).....		x \$740/370 ea	+ \$0		149/249
13. Request for Continued Examination (RCE)		+ \$740/370	+ \$0		1179/1279
14. Response to Restriction Requirement			+ \$0		
15. TOTAL FEE ENCLOSED =			\$		

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 037003 0279190

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Robin L. Teskin

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments